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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hilmar Meier et al.

Serial No.: 10/716,231

Filed: November 18, 2003

Title: "METHOD FOR ADAPTING A HEARING DEVICE TO A MOMENTARY
ACOUSTIC SITUATION AND A HEARING DEVICE"

Docket No.: 35469US1

LETTER

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant encloses herewith the required Declaration and Power of Attorney. A check for \$130.00 is enclosed to cover the late filing fee surcharge for the enclosed Declaration.

Applicant has not yet received a Notice to File Missing Parts of Application.

If there are any further fees resulting from this communication not covered by the enclosed check, please charge the same to Deposit Account No. 16-0820, Order No. 35469US1.

Respectfully submitted,

PEARNE & GORDON LLP

By

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February 12, 2004

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

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Michael W. Garvey

Name of Attorney for Applicant(s)

02-12-2004

Date

Signature of Attorney

P203558



DECLARATION AND POWER OF ATTORNEY CONTINUATION-IN-PART

Submitted with Initial Filing

Submitted after Initial Filing
(Surcharge (37 CFR 1.16(e)) required)

Attorney Docket No.: 35469US1

Application Number: 10/716,231

First Named Inventor: Hilmar Meier

Filing Date: November 18, 2003

Group Art Unit:

Examiner Name:

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD FOR ADAPTING A HEARING DEVICE TO A MOMENTARY ACOUSTIC SITUATION AND A HEARING DEVICE SYSTEM

the specification of which (check only one item below)

is attached hereto,

OR

was filed on November 18, 2003 as United States Application Number or PCT International Application Number 10/716,231 and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I hereby state that the present application is at least in part a continuation of a prior application filed by me in the United States Patent and Trademark Office on March 27, 2003, Serial No. 10/400,842; that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, in accordance with Title 37, Code of Federal Regulations, Section 1.56(a); and that, insofar as the subject matter of the present application

is not disclosed in the prior application, I acknowledge my duty to disclose information for which I am aware which is material to the examination of this subject matter, in accordance with Title 37, Code of Federal Regulations, Section 1.56(a), and which occurred between the filing date of the prior application and the filing date of this application.

As a named inventor, I hereby appoint each of the following as my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Address all correspondence to Customer Number 000116:

Please direct all correspondence and inquiries to Michael W. Garvey at (216) 579-1700.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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